

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CAROLYN HOWELL Complainant, v. IES UTILITIES INC. Respondent.	DOCKET NO. C-00-386
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ORDER DENYING REQUEST FOR FORMAL COMPLAINT PROCEEDINGS

(Issued December 12, 2000)

On August 29, 2000, Carolyn Howell filed with the Utilities Board (Board) a written complaint alleging that her statement from IES Utilities Inc. (IES) contained charges that she had not incurred. During the period from March 1996 to March 1998, Ms. Howell established service at two apartments in Chariton, Iowa. The billings in dispute are for this period.

IES formally responded to the complaint on September 26, 2000. IES indicated its records were correct and that the outstanding balance when service ended at the apartment on 214 South 8th Street was \$779.53. This balance included unpaid charges from prior service at 216 South 8th Street. During part of the time in question, Ms. Howell was responsible for service at both apartments.

On October 4, 2000, the Consumer Services Section issued a proposed resolution that found IES had correctly billed Ms. Howell for usage at both

apartments during the time period she was responsible for payment. The resolution noted Ms. Howell had been removed from budget billing, as requested, and that IES offered her a payment plan to spread the delinquency over a 12-month period. Ms. Howell was dissatisfied with the proposed resolution and filed a request for formal complaint proceedings on October 18, 2000.

Iowa Code § 476.3(1) (1999) provides, in part, that following informal complaint proceedings, "[t]he complainant or the public utility also may petition the board to initiate a formal proceeding which petition shall be granted if the board determines that there is any reasonable ground for investigating the complaint." This is the standard the Board applies to requests for formal complaint proceedings.

All documents contained in the file of an informal complaint proceeding are part of the record. 199 IAC 6.7. Thus, in determining whether there is any reasonable ground for instituting formal complaint proceedings, the Board reviews the entire file.

The Board has reviewed the billings contained in the file and finds that Ms. Howell was billed correctly for her usage at the two apartments. For example, IES removed \$52.94 in charges from her account when IES was provided information that she vacated one apartment in April 1997.

In her request for a formal complaint proceeding, Ms. Howell claims IES falsified documents because it appeared "white-out" had been used to delete an account number, with a new account number having been hand-written over the old one. The Board finds IES' explanation, that the wrong account number was typed and therefore corrected by hand, to be reasonable. There is nothing to indicate the

information contained in the documents themselves is incorrect and Ms. Howell has presented nothing in her filings to indicate the billings are incorrect. In other words, the use of "white-out" in this instance caused no harm. However, the Board notes that the use of "white-out" can raise questions of document authenticity and the Board prefers that corrections be made in a way that readily shows the old number or language and the new number or language, such as with a simple strike-out.

There is no reasonable ground for investigating any aspects of this complaint further. Therefore, the request for formal complaint proceedings will be denied.

IT IS THEREFORE ORDERED:

The request for formal complaint proceedings filed by Carolyn Howell on October 18, 2000, is denied.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 12th day of December, 2000.